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EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,861

Applicant(s)

WEI ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/3/12/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Claim Objections

2. Claims 2-8 and 11-19 are objected to because of the following informalities:
 - a. As to claims 2-8 and 11-17, all dependent claims should start with 'the' as they are referring to the method or search template of claims 1 and 10.
 - b. As to claim 18 and 19, the claim dependencies are unclear as they incorporate a dependent claim (claim 13). Applicant is required to clarify all the proper limitations for claims 18 and 19.
 - c. Claim 19 is missing a word between 'method' and 'the'.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- d. The following claims lack proper antecedent basis:
 - i. Claim 10, line 2 - "the mobile user".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3-6 and 9 are rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia et al (hereinafter Lohtia), U.S Patent No. 6,560,456 in view of an Official Notice.

6. As to claim 1, Lohtia teaches a search template for a web portal search of the internet, wherein said template is capable of use by a mobile user, said template being in the form of a search index capable of carrying pre-determined information and coding instructions and being both capable of use for composing an alphanumeric message for broadcast, and capable of use for interpreting a received message, by the mobile user on a mobile phone, said message being transmitted through a mobile phone network and a server gateway, with electronic transfer of a message to (and from) the said search engine (column 2, lines 36-54 and line 66 to column 3, line 21 and column 6, lines 36-39 and claim 5 - wherein the templates are the predefined keywords for accessing of information and services. And the table that associates the predetermined service feature code or keywords with the searched information is the search index).

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7. Official Notice is taken that it is well known and expected in the art that the mobile user has no need for an internet address. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in Lohtia the same functionality stated in the Official Notice as a mobile user has no need for an internet address.

8. As to claim 3, Lohtia teaches a search template wherein the mobile phone is connected to a mobile phone network which is a GSM network, and the network is connected to a network gateway which is connected to the server gateway (column 4, lines 56-61 and column 7, lines 43-49).

9. As to claim 4, Lohtia teaches a search template wherein the network gateway is an SMS server gateway (column 7, lines 35-42 and column 8, lines 26-33).

10. As to claim 5, Lohtia teaches a search template wherein the SMS server is the web server for the web portal (column 7, lines 24-28).

11. As to claim 6, Lohtia teaches a search template wherein said template is capable of presentation in printed and human-readable format (column 5, lines 25-52).

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12. As to claim 9, Lohtia teaches a search template wherein said alphanumeric message, when sent by the mobile user, is generated using a keypad of a mobile phone and the message is broadcast as an SMS message (column 7, lines 17-42).

13. Claim 2 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 1 above, in view of Anderson et al (hereinafter Anderson), U.S Patent No. 6,636,259.

14. Lohtia does teach a search template for a web portal search engine of the internet wherein said template permits the sending of coded instructions (column 3, lines 6-7), but does not specifically disclose that the coded instructions are for alteration of content of an internet web page by one of: addition of information thereon, deletion of information therein and modification of information.

15. Anderson teaches using coded instructions for the alteration of content of an internet web page by one of: addition of information thereon, deletion of information therein and modification of information (column 7, lines 43-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the coded instructions for the alteration of an internet web page into Lohtia to allow users to post information such as photographs onto their website.

16. Claim 7 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 1 above, in view of Rose, U.S Patent No. 6,075,859.

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17. Lohtia teaches a search template but does not teach that said template incorporates enabling the addition of security coding to the broadcast message and enabling the decoding of a received broadcast message.

18. Rose teaches enabling the addition of security coding to a broadcast message and enabling the decoding of a received broadcast message (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Rose's security features in Lohtia's search template to provide increased security for users in a wireless communication system.

19. Claim 8 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 1 above, in view of Yoem, U.S Patent No. 6,526,027.

20. Lohtia teaches a search template but does not teach that said template incorporates coding for sequential and serial receiving and broadcasting of messages containing information to and from a mobile user, said information in second and subsequent messages being dependent on the information in the first broadcast or received message.

21. Yoem teaches the coding for sequential and serial receiving and broadcasting of messages containing information to and from a mobile user, said information in second and subsequent messages being dependent on the information in the first broadcast or received

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message (claim 19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Yoem's sequential coding of messages into Lohtia's search template to properly partition a message that is too large to be sent all at once, and needs to be sent in smaller blocks. The smaller blocks are partitioned and are dependent on the first partitioned block or message and the blocks are sent or received sequentially so the message can be reconstituted into its larger form.

22. Claim 10, 11, and 13-15 and 18 are rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia, in view of an Official Notice.

23. As to claim 10, Lohtia teaches a method of downloading and uploading information between a mobile phone and the internet, said method including:

providing an internet server gateway for receiving and sending messages to a mobile network gateway (Figure 3, item 302);

providing a template for use by a mobile user, said template being in the form of a search index capable of carrying pre-determined information and coding instructions and being both capable of use for composing an alphanumeric message for broadcast, and capable of use for interpreting a received message, by the mobile user on a mobile phone, said message being transmitted through a mobile phone network and a server gateway, with electronic transfer of a message to (and from) the said search engine (column 2, lines 36-54 and line 66 to column 3, line 21 and column 6, lines 36-39 and claim 5 - wherein the templates are the predefined keywords for accessing of information and services);

using said template for composing and encoding broadcast messages and decoding received messages on the mobile phone (Figure 2, items 201, 202, 206 and 207, column 5, lines 53-59, column 6, lines 53-65 and column 7, lines 1-12).

24. Official Notice is taken that it is well known and expected in the art that the mobile user has no need for an internet address. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in Lohtia the same functionality stated in the Official Notice as a mobile user has no need for an internet address.

25. As to claim 11, Lohtia teaches a method for downloading and uploading information between a mobile phone and the internet, wherein the mobile phone is connected to a mobile phone network which is a GSM network, and the network is connected to a network gateway which is connected to the server gateway (column 4, lines 56-61 and column 7, lines 43-49).

26. As to claim 13, Lohtia teaches a method for downloading and uploading information between a mobile phone and the internet wherein the network gateway is an SMS server gateway (column 7, lines 35-42 and column 8, lines 26-33).

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27. As to claim 14, Lohtia teaches a method for downloading and uploading information between a mobile phone and the internet wherein said template is capable of presentation in printed and human-readable format (column 5, lines 25-52).

28. As to claim 15, Lohtia teaches a method for downloading and uploading information between a mobile phone and the internet wherein the SMS server is the web server for the web portal (column 7, lines 24-28).

29. As to claim 18, Lohtia teaches a method of assembling a database of users, said method including the steps of:

downloading information to a mobile phone via the method as claimed in claim 13 (column 7, lines 35-42 and column 8, lines 26-33);

uploading a message from a user in response to the information contained in the downloaded message (claim 1 (a));

recording data for a user via a pre-programmed series of instructions on the SMS server (column 6, lines 57-59 and column 7, lines 28-36);

generating an SMS reply to the user for details of registration (column 7, lines 1-10);

repeating the above four steps for a plurality of users (column 8, lines 40-45).

30. Claim 12 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 10 above, in view of Anderson.

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31. Lohtia does teach a method of downloading and uploading information between a mobile phone and the internet (column 3, lines 12-21) but does not specifically disclose that said template permits the sending of coded instructions for alteration of content of an internet web page by one of: addition of information thereon, deletion of information therein and modification of information.

32. Anderson teaches using coded instructions for the alteration of content of an internet web page by one of: addition of information thereon, deletion of information therein and modification of information (column 7, lines 43-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the coded instructions for the alteration of an internet web page into Lohtia to allow users to post information such as photographs onto their website.

33. Claim 16 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 10 above, in view of Rose.

34. Lohtia teaches a method for downloading and uploading information between a mobile phone and the internet but does not teach that said template incorporates enabling the addition of security coding to the broadcast message and enabling the decoding of a received broadcast message.

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35. Rose teaches enabling the addition of security coding to a broadcast message and enabling the decoding of a received broadcast message (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Rose's security features in Lohtia's download/upload method to provide increased security for users in a wireless communication system.

36. Claim 17 is rejected under 35 U.S.C 103(a) as being unpatentable over Lohtia as applied to claim 10 above, in view of Yoem.

37. Lohtia teaches a method of downloading and uploading information between a mobile phone and the internet, but does not teach that said method further comprises the step of further using the template to encode a message for broadcast, or for interpreting a message received, wherein said message information is dependent on the content of a previously sent or received message.

38. Yoem teaches a method further comprises the step of further using the template to encode a message for broadcast, or for interpreting a message received, wherein said message information is dependent on the content of a previously sent or received message (claim 19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Yoem's sequential coding of messages into Lohtia's download/upload method to properly partition a message that is too large to be sent and needs to be sent in smaller blocks. The smaller blocks are partitioned and are dependent on the first partitioned

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block or message and the blocks are sent or received sequentially so the message can be reconstituted into its larger form.

39. Claim 19 is rejected under 35 U.S.C 103(a) as being unpatentable over Morrill, Jr. U.S Patent No. 5,991,749, in view of Lohtia.

40. Morrill, Jr. teaches a method of authentication of information in electronic transfer of funds, said method comprising the step of: wherein said information includes information in the template to key validation of payment and details of payment (column 2, lines 33-44, 60-67 and column 5, lines 1-22). Morrill, Jr. does not teach the method including the operation of the method according to claim 13 or that the details are stored on the SMS server.

41. Lohtia teaches the operation of the method according to claim 13 (column 7, lines 35-42 and column 8, lines 26-33), and that details of the user are stored on an SMS server (column 2, lines 57-63 and column 6, lines 43-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Lohtia's download/upload method and SMS server into Morrill, Jr. to allow mobile devices to upload and download information in the system through the use of alphanumeric messages (column 1, lines 25-43).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The following patents are cited to further show the state of the art in regards to messaging and wireless internet:

U.S Patent No. 6,321,257 to Kotola et al;

U.S Patent no. 6,421,707 to Miller et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864.

The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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